

**IN THE UNITED STATES DISTRICT COURT FOR  
THE MIDDLE DISTRICT OF TENNESSEE  
NASHVILLE DIVISION**

**LARRY JAMES MOORE,**

*Plaintiff,*

v.

**MICHAEL J. ASTRUE,  
Commissioner of Social Security,**

*Defendant.*

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**No. 3:07-1034**

**Judge Nixon**

**Magistrate Judge Brown**

**ORDER**

Pending before the Court is Plaintiff Larry Moore's Motion for Judgment on the Administrative Record ("Plaintiff's Motion") (Doc. Nos. 22-24, 39, 40, 44, 45). On May 15, 2009, the Magistrate Judge issued a Report and Recommendation, recommending that Plaintiff's Motion be granted and the decision of the Commissioner be reversed. (Doc. No. 57).

Upon review, the Court finds the Report to be well-founded and supported by the record. The Court therefore **ADOPTS** the Report in its entirety. Accordingly, Plaintiff's Motion is **GRANTED**, the Defendant's decision is **REVERSED**, and the case is **REMANDED** for further administrative proceedings to develop the record, specifically to obtain residual functional capacity ("RFC") assessments from Plaintiff's treating physician. In addition, Plaintiff's request to reopen his prior disability application (Tr. 15-20) is **DENIED**.

It is so ORDERED.

Entered this the 3<sup>rd</sup> day of June, 2009.

  
JOHN T. NIXON, SENIOR JUDGE  
UNITED STATES DISTRICT COURT